

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent No. 7,571,166

Date of Patent: **August 4, 2009**

Inventors: **Davies et al.**

Examiner: **S. A. Alam**

Serial No.: **09/998,613**

Group Art Unit: **2162**

Filed: **November 30, 2001**

Confirmation No.: **4910**

For: **VIRTUAL PRIVATE SUPPLY CHAIN**

**Mail Stop: Petitions
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450**

**Via EFS
Date Sent: August 5, 2009**

**REQUEST FOR RECONSIDERATION OF PATENT TERM ADJUSTMENT
INDICATED IN PATENT PURSUANT TO 37 CFR §1.705(d)**

Dear Sir:

In accordance with the provisions of 37 CFR §1.705(d), Patentee respectfully requests that the Patent Term Adjustment calculated by the Commissioner in U.S. Patent No. 7,571,166 be reconsidered and revised as set forth below.

U.S. Patent No. 7,571,166 issued on August 4, 2009. As such, this request for reconsideration is being filed within 2 months of the issuance of the patent.

Patentee has paid the required patent term adjustment fee of \$200 – as set forth in §1.705(d), §1.705(b)(1) and §1.18(e).

The following is a statement of facts, pursuant to §1.705(d) and §1.705(b)(2), supporting the request for reconsideration of the Patent Term Adjustment.

The face page of U.S. Patent No. 7,571,166 indicates that this patent is entitled to a seven hundred fifty three (753) day Patent Term Adjustment. *See* Exhibit A - showing the face page of U.S. Patent No. 7,571,166. Patentee believes that it is entitled to an additional patent term adjustment of one thousand seven hundred nine (1709) days for the reasons that follow.

As a preliminary matter, Patentee previously filed a Request for Consideration of Patent Term Adjustment Pursuant to 37 CFR 1.702 on June 9, 2009 (Exhibit B) based on an estimated patent issue date of September 15, 2009 (The Notice of Allowance (Exhibit C) gave the estimated issuance date). Subsequently, Patentee received a Response to the Request for Consideration of Patent Term Adjustment issued by the Office of Petitions dated July 2, 2009 indicating that the request was being dismissed stating that neither the fee under 1.18(e) nor a general authorization form from an authorized user to charge any of the required fees, accompanied the application for patent term adjustment. *See* a copy of the July 2, 2009 Response attached as Exhibit D. Patentee would like to note that authorization to charge the appropriate fee of \$200 to a deposit account was provided on page 3 of the previously filed Request. *See* Exhibit B at page 3. The Response dated July 2, 2009 from the Office of Petitions further advised Patentee that they may file a request for reconsideration of the patent term pursuant to 37 CFR 1.705(d) at the time of the issuance of the patent. *See* Exhibit D at page 2.

The patent has now issued (issue date of August 4, 2009) and the present communication follows said advice and requests reconsideration of the Patent Term Adjustment pursuant to 37 CFR 1.705(d). The patent term adjustment listed on the issued patent remains at seven hundred

fifty three (753) days (see Exhibit A). The Patent Office's calculation showing the seven hundred fifty three (753) day of Patent Term Adjustment is attached as Exhibit E.

Patentee respectfully asserts that U.S. Patent No. 7,571,166 is entitled to an *additional* adjustment of one thousand seven hundred nine (1709) days based on the issue date of August 4, 2009, which will bring the total patent term adjustment to two thousand four hundred sixty two (2458) days ($753 + 1709 = 2462$), pursuant to 37 CFR §1.703(b).

37 CFR §1.703(b) states:

the period of adjustment under §1.702(b) is the number of days, if any, in the period beginning on the day after the date that is three (3) years after the date on which the application was filed under 35 U.S.C. 111(a) or the national stage commenced under 35 U.S.C. 371(b) or (f) in an international application and ending on the date a patent was issued.

This calculation is consistent with the court's ruling in *Wyeth v. Dudas*, 2008 U.S. Dist. LEXIS 76063 (D.D.C., Sept. 30, 2008). This is so-called "B delay." None of the 1709 days overlap any "A delay." Thus, Patentee is entitled to an additional patent term adjustment of one thousand seven hundred nine (1709) days.

In support of this request, Patentee submits the following information:

Date of Filing:	November 30, 2001
Three Year Anniversary of Pendency:	November 30, 2004
Date of Issuance:	August 4, 2009
Days between day after Three Year Anniversary of Pendency date and date of issuance:	1709

See also, Exhibit F.

The Commissioner is **hereby authorized to charge** any deficiencies of fees and credit of any overpayments to Patentee's **Deposit Account No. 50-0436**.

Respectfully Submitted,

/Michael K. Jones, Reg. No. 41,100/
Michael K. Jones
Reg. No. 41,100

Date: August 5, 2009

PEPPER HAMILTON LLP
3000 Two Logan Square
Eighteenth and Arch Streets
Philadelphia, PA 19103-2799
(215) 981-4405 (Telephone)
(610) 640-7835 (Facsimile)

Exhibit A



US007571166B1

(12) **United States Patent**
Davies et al.

(10) **Patent No.:** **US 7,571,166 B1**
(45) **Date of Patent:** **Aug. 4, 2009**

(54) **VIRTUAL PRIVATE SUPPLY CHAIN**

(56) **References Cited**

(75) Inventors: **John Merrow Davies**, Costa Mesa, CA (US); **Gary Casamento**, Huntington Beach, CA (US); **Mahendra Kumar**, Sunnyvale, CA (US); **Thomas J. Hilferty**, Huntington Valley, PA (US); **Lisayani Tejolesmono**, Cerritos, CA (US); **Frank E. Orchard**, Elmsford, NY (US); **Lawrence Flon**, Costa Mesa, CA (US); **Michael Gary Anderson**, Charlotte, NC (US); **Leslie Casamento**, Huntington Beach, CA (US)

U.S. PATENT DOCUMENTS

5,155,847	A *	10/1992	Kirouac et al.	709/221
5,285,392	A *	2/1994	Kyle et al.	700/100
5,694,551	A *	12/1997	Doyle et al.	705/26
5,884,300	A *	3/1999	Brockman	707/2
5,946,662	A *	8/1999	Etti et al.	705/8
6,115,690	A *	9/2000	Wong	705/7
6,119,149	A *	9/2000	Notani	709/205
6,343,275	B1 *	1/2002	Wong	707/10
6,463,345	B1 *	10/2002	Peachey-Kountz et al.	700/99
6,708,166	B1 *	3/2004	Dysart et al.	707/6
2002/0138316	A1	9/2002	Katz et al.	
2002/0138358	A1	9/2002	Scheer	

* cited by examiner

Primary Examiner—Shahid A Alam

(74) *Attorney, Agent, or Firm*—Pepper Hamilton LLP

(73) Assignee: **Click Acquisitions, Inc.**, El Segundo, CA (US)

(*) Notice: Subject to any disclaimer, the term of this patent is extended or adjusted under 35 U.S.C. 154(b) by 753 days.

(21) Appl. No.: **09/998,613**

(22) Filed: **Nov. 30, 2001**

Related U.S. Application Data

(60) Provisional application No. 60/299,253, filed on Jun. 19, 2001.

(51) **Int. Cl.**
G06F 17/30 (2006.01)

(52) **U.S. Cl.** 707/10; 707/104.1; 707/200; 709/203

(58) **Field of Classification Search** 709/205, 225, 221; 707/9, 10, 200, 2, 6, 707/100, 104.1; 705/2, 7, 26, 28

See application file for complete search history.

(57) ABSTRACT

A generic Internet based system for viewing supply chain data is provided. The system includes an Internet based data viewing engine and a data store that holds both viewable data and metadata associated with the viewable data. The metadata can be employed by the Internet based data viewing engine to control the presentation of the viewable data. The generic Internet based supply chain data viewing engine may be employed in a virtual private supply chain (VPSC). A VPSC includes a data acceptor that can receive supply chain data items from supply chain members, a supply chain data store that can store transformed, validated supply chain data items received from the supply chain members and a data accessor operable to selectively present supply chain data items stored in the supply chain data store to viewing supply chain members. One example of the data accessor is the generic Internet based viewing engine.

20 Claims, 18 Drawing Sheets

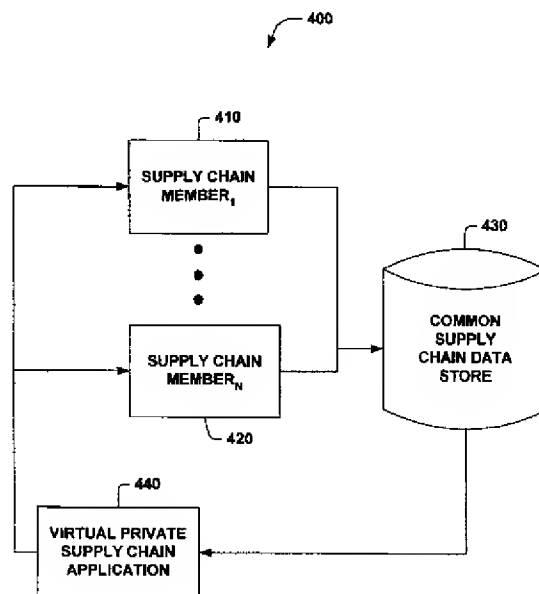


Exhibit B

Serial No. 09/998,613
Docket No.

Patent

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: **John Merrow Davies et al.**

Serial No.: **09/998,613**

Examiner: **S. A. Alam**

Filed: **November 30, 2001**

Group Art Unit: **2162**

Confirmation No.: **4910**

For: **VIRTUAL PRIVATE SUPPLY CHAIN**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Filed via EFS Web
Date Sent: **June 9, 2009**

**REQUEST FOR CONSIDERATION OF PATENT TERM ADJUSTMENT PURSUANT TO 37
CFR §1.702**

Dear Sir:

In accordance with the provisions of 37 C.F.R. §1.702, Applicants respectfully request that the Patent Term Adjustment calculated by the Commissioner in the above referenced Application be reconsidered. Currently, this application is entitled to a seven hundred fifty three (753) day Patent Term Adjustment as set forth and calculated on the attached Exhibit "A". Applicants believe they are entitled to an **additional** patent term adjustment.

Applicants respectfully assert that they are entitled to an estimated **additional** patent term adjustment of one thousand seven hundred fifty (1750) days pursuant to 37 CFR §1.703(b), which states, in relevant part: "[t]he period of adjustment under §1.702(b) is the number of days, if any, in the period beginning on the day after the date that is three (3) years

Serial No. 09/998,613
Docket No.

Patent

after the date on which the application was filed under 35 U.S.C. 111(a) or the national stage commenced under 35 U.S.C. 371(b) or (f) in an international application and ending on the date a patent was issued." This brings the total patent term adjustment, to which Applicants are entitled, to two thousand five hundred three (**2503**) days ($753 + 1750 = 2503$). Applicants' estimated **additional** patent term adjustment is based on the projection that this patent will issue on the Tuesday before the date that is 28 weeks after the mailing date of the Notice of Allowance.

In support of this request, Applicants submit the following information:

Date of Filing:	November 30, 2001
Three Year Anniversary of Pendency:	November 30, 2004
Date of Issuance (estimated based on the projection that the patent will be issued on the Tuesday before the 28 weeks from the mailing date of the Notice of Allowance on March 9, 2009):	September 15, 2009
Days between day after Three Year Anniversary of Pendency date and date of issuance (estimated):	1750

Applicants reserve the right to petition for any further patent term adjustment if the patent issues after the estimated September 15, 2009 date (i.e., on the Tuesday before the 28 weeks from the mailing date of the Notice of Allowance).

Serial No. 09/998,613
Docket No.

Patent

The Commissioner is hereby authorized to charge any deficiencies of fees and credit of any overpayments to Deposit Account No. 50-0436.

Respectfully Submitted,

/Bryan T. Giles, Reg. No. 60078/
Bryan T. Giles, Reg. No. 60,078

Date: **June 9, 2009**

PEPPER HAMILTON LLP
3000 Two Logan Square
Eighteenth and Arch Streets
Philadelphia, PA 19103-2799
215.981.4153 (Telephone)
610.640.7835 (Facsimile)

Exhibit C



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

NOTICE OF ALLOWANCE AND FEE(S) DUE

68495 7590 03/09/2009

PERRY HOFFMAN AND ASSOCIATES, P.C.
P.O. BOX 1649
DEERFIELD, IL 60015

EXAMINER

ALAM, SHAHID AL

ART UNIT

PAPER NUMBER

2162

DATE MAILED: 03/09/2009

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/998,613	11/30/2001	John Merrow Davies	21-019 ITW 20557	4910

TITLE OF INVENTION: VIRTUAL PRIVATE SUPPLY CHAIN

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	YES	\$755	\$0	\$0	\$755	06/09/2009

THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. **PROSECUTION ON THE MERITS IS CLOSED.** THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHTS. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPON PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.

THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. **THIS STATUTORY PERIOD CANNOT BE EXTENDED.** SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE DOES NOT REFLECT A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE IN THIS APPLICATION. IF AN ISSUE FEE HAS PREVIOUSLY BEEN PAID IN THIS APPLICATION (AS SHOWN ABOVE), THE RETURN OF PART B OF THIS FORM WILL BE CONSIDERED A REQUEST TO REAPPLY THE PREVIOUSLY PAID ISSUE FEE TOWARD THE ISSUE FEE NOW DUE.

HOW TO REPLY TO THIS NOTICE:

I. Review the SMALL ENTITY status shown above.

If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

- A. If the status is the same, pay the TOTAL FEE(S) DUE shown above.
- B. If the status above is to be removed, check box 5b on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and twice the amount of the ISSUE FEE shown above, or

If the SMALL ENTITY is shown as NO:

- A. Pay TOTAL FEE(S) DUE shown above, or
- B. If applicant claimed SMALL ENTITY status before, or is now claiming SMALL ENTITY status, check box 5a on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and 1/2 the ISSUE FEE shown above.

II. PART B - FEE(S) TRANSMITTAL, or its equivalent, must be completed and returned to the United States Patent and Trademark Office (USPTO) with your ISSUE FEE and PUBLICATION FEE (if required). If you are charging the fee(s) to your deposit account, section "4b" of Part B - Fee(s) Transmittal should be completed and an extra copy of the form should be submitted. If an equivalent of Part B is filed, a request to reapply a previously paid issue fee must be clearly made, and delays in processing may occur due to the difficulty in recognizing the paper as an equivalent of Part B.

III. All communications regarding this application must give the application number. Please direct all communications prior to issuance to Mail Stop ISSUE FEE unless advised to the contrary.

IMPORTANT REMINDER: Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/998,613	11/30/2001	John Merrow Davies	21-019 ITW 20557	4910
68495	7590	03/09/2009	EXAMINER	
PERRY HOFFMAN AND ASSOCIATES, P.C.				
P.O. BOX 1649				
DEERFIELD, IL 60015				
			ALAM, SHAHID AL	
			ART UNIT	PAPER NUMBER
			2162	
DATE MAILED: 03/09/2009				

Determination of Patent Term Adjustment under 35 U.S.C. 154 (b) (application filed on or after May 29, 2000)

The Patent Term Adjustment to date is 753 day(s). If the issue fee is paid on the date that is three months after the mailing date of this notice and the patent issues on the Tuesday before the date that is 28 weeks (six and a half months) after the mailing date of this notice, the Patent Term Adjustment will be 753 day(s).

If a Continued Prosecution Application (CPA) was filed in the above-identified application, the filing date that determines Patent Term Adjustment is the filing date of the most recent CPA.

Applicant will be able to obtain more detailed information by accessing the Patent Application Information Retrieval (PAIR) WEB site (<http://pair.uspto.gov>).

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (571)-272-7702. Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at 1-(888)-786-0101 or (571)-272-4200.

Notice of Allowability	Application No.	Applicant(s)	
	09/998,613	DAVIES ET AL.	
	Examiner	Art Unit	
	Shahid Al Alam	2162	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--
 All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 2/12/2009.
2. ☒ The allowed claim(s) is/are 15, 17 - 34 and 37.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|--|---|
| <ol style="list-style-type: none"> 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) 3. <input type="checkbox"/> Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____ 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit of Biological Material | <ol style="list-style-type: none"> 5. <input type="checkbox"/> Notice of Informal Patent Application 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____ 7. <input type="checkbox"/> Examiner's Amendment/Comment 8. <input type="checkbox"/> Examiner's Statement of Reasons for Allowance 9. <input type="checkbox"/> Other _____ |
|--|---|

/Shahid Al Alam/
 Primary Examiner, Art Unit 2162

Notice of References Cited	Application/Control No. 09/998,613	Applicant(s)/Patent Under Reexamination DAVIES ET AL.	
	Examiner Shahid Al Alam	Art Unit 2162	Page 1 of 1

U.S. PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	Classification
*	A	US-5,155,847	10-1992	Kirouac et al.	709/221
*	B	US-5,285,392	02-1994	Kyle et al.	700/100
*	C	US-5,694,551	12-1997	Doyle et al.	705/26
*	D	US-5,884,300	03-1999	Brockman, Richard	707/2
*	E	US-5,946,662	08-1999	Ettl et al.	705/8
*	F	US-6,115,690	09-2000	Wong, Charles	705/7
*	G	US-6,343,275	01-2002	Wong, Charles	707/10
*	H	US-6,463,345	10-2002	Peachey-Kountz et al.	700/99
*	I	US-6,708,166	03-2004	Dysart et al.	707/6
	J	US-			
	K	US-			
	L	US-			
	M	US-			

FOREIGN PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Country	Name	Classification
	N					
	O					
	P					
	Q					
	R					
	S					
	T					

NON-PATENT DOCUMENTS

*		Include as applicable: Author, Title Date, Publisher, Edition or Volume, Pertinent Pages)
	U	
	V	
	W	
	X	

*A copy of this reference is not being furnished with this Office action. (See MPEP § 707.05(a).)
Dates in MM-YYYY format are publication dates. Classifications may be US or foreign.

Exhibit D



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

Pepper Hamilton LLP
400 Berwyn Park
899 Cassatt Road
Berwyn PA 19312-1183

COPY MAILED

JUL 02 2009

OFFICE OF PETITIONS

In re Application of	:	
Davies, et al.	:	
Application No. 09/998,613	:	ON APPLICATION FOR
Filed: November 30, 2001	:	PATENT TERM ADJUSTMENT
Atty Docket No. 133960.00101	:	
	:	

This is in response to the "Request for Consideration of Patent Term Adjustment Pursuant to 37 CFR § 1.702" filed June 9, 2009. Applicant requests that the determination of patent term adjustment be corrected from seven hundred fifty-three days (753) days to at least two thousand five hundred and three (2,503) days assuming that the patent issues on September 15, 2009. Applicant requests this correction on the basis that the Office will take in excess of three years to issue this patent.

The request is DISMISSED.

Applicants are advised that § 1.705(b) provides the avenue before the Office for requesting reconsideration of the patent term adjustment indicated in the notice of allowance. See § 1.702-1.705. Moreover, § 1.705(b) provides that:

An application for patent term adjustment under this section must be filed no later than the payment of the issue fee but may not be filed earlier than the date of mailing of the notice of allowance. An application for patent term adjustment under this section must be accompanied by:

(1) The fee set forth in § 1.18(e) ...

The instant application for patent term adjustment was filed after the mailing of the notice of allowance and with payment of the issue fee. However, neither the fee under § 1.18(e) nor a

general authorization from an authorized user to charge any required fees, accompanied the application for patent term adjustment. Accordingly, the request is dismissed for failure to comply with the requirement of paragraph (b)(1) to submit the fee under § 1.18(e).

Rather than file the request for reconsideration of Patent Term Adjustment at the time of the mailing of the notice of allowance, applicants are advised that they may wait until the time of issuance of the patent and file a request for reconsideration of the patent term pursuant to 37 CFR 1.705(d). The USPTO notes that it does not calculate the amount of time earned pursuant to 37 CFR 1.702(b) until the time of issuance of the patent and accordingly, the Office will consider any request for reconsideration of the patent term adjustment due to an error in the calculation of 37 CFR 1.702(b) to be timely if the request for reconsideration is filed within two months of the issuance of that patent and accompanied by the \$200.00 fee set forth in 37 CFR 1.18(e).

The Office of Data Management has been advised of this decision and directed to go forward with processing of this application into a patent.

Telephone inquiries specific to this matter should be directed to Kenya A. McLaughlin, Petitions Attorney, at (571) 272-3222.

/Christina Donnell/

Christina Donnell
Senior Petitions Attorney
Office of Petitions

Exhibit E

09/998,613 VIRTUAL PRIVATE SUPPLY CHAIN

06-08-
2009::12:47:17**Patent Term Adjustments**

Patent Term Adjustment (PTA) for Application Number: 09/998,613

Filing or 371(c) Date:	11-30-2001	USPTO Delay (PTO) Delay (days):	920
Issue Date of Patent:	-	Three Years:	-
Pre-Issue Petitions (days):	+0	Applicant Delay (APPL) Delay (days):	167
Post-Issue Petitions (days):	+0	Total PTA (days):	753
USPTO Adjustment(days):	+0	Explanation Of Calculations	

Patent Term Adjustment History

Date	Contents Description	PTO(Days)	APPL(Days)
03-09-2009	Mail Notice of Allowance		
03-05-2009	Document Verification		
03-05-2009	Notice of Allowance Data Verification Completed		
02-26-2009	Date Forwarded to Examiner		
02-12-2009	Response after Non-Final Action		
02-13-2009	Mail Examiner Interview Summary (PTOL - 413)		
02-12-2009	Examiner Interview Summary Record (PTOL - 413)		
02-03-2009	Mail Non-Final Rejection		
02-02-2009	Non-Final Rejection		
12-24-2008	Date Forwarded to Examiner		
12-17-2008	Response after Non-Final Action		
12-02-2008	Mail Notice of Informal or Non-Responsive RCE Amendment		
12-01-2008	Notice of Informal or Non-Responsive RCE Amendment.		
12-01-2008	Date Forwarded to Examiner		
12-01-2008	Date Forwarded to Examiner		
11-30-2008	Request for Continued Examination (RCE)		30
12-01-2008	DISPOSAL FOR A RCE/CPA/129 (express abandonment if CPA)		↑
11-30-2008	Request for Extension of Time - Granted		↑
11-30-2008	Workflow - Request for RCE - Begin		↑
07-31-2008	Mail Final Rejection (PTOL - 326)		↑
07-30-2008	Final Rejection		
05-09-2008	Date Forwarded to Examiner		
03-07-2008	Amendment After Brief		
01-30-2008	Exam. Ans. Review Complete		
01-10-2008	Mail Examiner's Answer	419	
01-07-2008	Examiner's Answer to Appeal Brief	↑	
11-05-2007	Date Forwarded to Examiner	↑	
09-07-2007	Appeal Brief Filed	↑	
11-05-2007	Mail Notice of Rescinded Abandonment	↑	
11-05-2007	Notice of Rescinded Abandonment in TCs	↑	

10-17-2007	Mail-Petition to Revive Application - Granted	↑	
10-17-2007	Petition to Revive Application - Granted	↑	
09-07-2007	Petition Entered	↑	
09-05-2007	Correspondence Address Change	↑	
09-05-2007	Change in Power of Attorney (May Include Associate POA)	↑	
03-29-2007	Mail Abandonment for Failure to Respond to Office Action	↑	
03-28-2007	Abandonment for Failure to Respond to Office Action	↑	
08-09-2006	Notice -- Defective Appeal Brief	↑	
08-08-2006	Appeal Brief Review Complete	↑	
08-08-2006	Date Forwarded to Examiner	↑	
07-17-2006	Defective / Incomplete Appeal Brief Filed	↑	
07-17-2006	Appeal Brief Filed	↑	
05-18-2006	Notice of Appeal Filed		
02-24-2006	Mail Final Rejection (PTOL - 326)		
02-21-2006	Final Rejection		
02-08-2006	Information Disclosure Statement considered		
02-08-2006	Information Disclosure Statement (IDS) Filed		75
02-08-2006	Information Disclosure Statement (IDS) Filed		
12-07-2005	Date Forwarded to Examiner	↑	
11-25-2005	Response after Non-Final Action	↑	
11-25-2005	New or Additional Drawing Filed		
08-25-2005	Mail Non-Final Rejection		
08-22-2005	Non-Final Rejection		
07-20-2005	Case Docketed to Examiner in GAU		
07-20-2005	Date Forwarded to Examiner		
06-15-2005	Request for Continued Examination (RCE)		62
07-20-2005	DISPOSAL FOR A RCE/CPA/129 (express abandonment if CPA)	↑	
06-15-2005	Request for Extension of Time - Granted	↑	
06-15-2005	Workflow - Request for RCE - Begin	↑	
05-26-2005	Mail Advisory Action (PTOL - 303)	↑	
05-24-2005	Advisory Action (PTOL-303)	↑	
03-15-2005	Date Forwarded to Examiner	↑	
03-08-2005	Amendment after Final Rejection	↑	
01-14-2005	Mail Final Rejection (PTOL - 326)	↑	
01-10-2005	Final Rejection		
12-22-2004	IFW TSS Processing by Tech Center Complete		
12-22-2004	Date Forwarded to Examiner		
09-14-2004	Response after Non-Final Action		
10-06-2004	Case Docketed to Examiner in GAU		
09-14-2004	Workflow incoming amendment IFW		
06-14-2004	Mail Non-Final Rejection		501

06-10-2004	Non-Final Rejection	↑
10-03-2003	Case Docketed to Examiner in GAU	↑
02-19-2002	Case Docketed to Examiner in GAU	↑
12-19-2001	Application Dispatched from OIPE	↑
12-18-2001	Application Is Now Complete	↑
12-06-2001	IFW Scan & PACR Auto Security Review	↑
11-30-2001	Initial Exam Team nn	↑

Close Window

Exhibit F

time and date.com

[Register](#) | [Log in](#) | [Customize](#)Search: [Go](#)Current location: [Home page](#) > [Date menu](#) > Calculate duration between two dates – resultsOther locations: [Time zone menu](#) | [World Clock](#) | [Calendar](#) | [Countdown](#)

I need affordable Auto Insurance. My age is...

 RateMarketplace

16-19 years old



20-24 years old



25-29 years old



30-34 years old



35-39 years old



40-44 years old



45-49 years old



50+ years old

Calculate duration between two dates – results

Duration calculation results

From and including: **Tuesday, November 30, 2004**To and including: **Tuesday, August 4, 2009**It is **1709** days from the start date to the end date, end date included

Or 4 years, 8 months, 6 days including the end date

Alternative time units

1709 days can be converted to one of these units:

- 147,657,600 seconds
- 2,460,960 minutes
- 41,016 hours
- 244 weeks (rounded down)

Make a new calculation

- [Modify the current calculation](#)
- [New calculation between two other dates](#)
- [New calculation, with both date and time included](#)

Help and example use

- [How to use the Date Duration Calculator](#)
- [How to use the Time Duration Calculator](#)
- [Some typical uses for the date calculators](#)

Date Calculators

- [Duration Between Two Dates](#) – Calculates number of days
- [Time and date duration](#) – Calculate between exact times (not just dates)
- [Date calculator](#) – add or subtract days, months, years
- [Birthday calculator](#) – Find when you are 1 billion seconds old

Related links

- [Date/calendar related services](#) – overview
- [Calendar Generator](#) – Create a calendar for any year
- [The World Clock](#) – Current time all over the world
- [Countdown to any date](#)

Advertising



ENJOY A HOTEL OR RESORT CREDIT
With our Reconnect® packages.

Click for details.

THE RITZ-CARLTON®

[Feedback](#)[Short URL](#)

Bookmark & share

Copyright © Time and Date AS 1995–2009. All rights reserved. [About us](#) | [Advertising](#) | [Disclaimer](#) | [Privacy](#)[Home page](#) | [Site Map](#) | [Site Search](#) | [The World Clock](#) | [Calendar](#) | [Countdown](#) | [Time Menu](#)